

JAN 16 2007

Appl. No. 10/676,321
Amendment dated January 16, 2007
Reply to Office Action mailed October 16, 2006

Attorney Docket No. BP2964

REMARKS/ARGUMENTS

Independent claim 1 has been amended to incorporate the limitation of having a 338 MHz sample rate. New claims 38-44 are added. Claim 38 is a dependent claim that depends from claim 1 is allowable since claim 1 is allowable. Claims 39-44 are also added and are believed to be allowable for the same reason claims 1 and 20 are allowable. Specifically, claim 39 requires upsampling of at least 384 times. The cited art does not teach this. Claim 41 requires upsampling of 1248 times. It too is believed to not be taught by the art. Remaining amendments are minor and are self explanatory.

If the Examiner believes a new search is required, the Examiner is asked to call the undersigned attorney to cancel any new claims that would preclude issuance of this case based upon the present amendment.

As the number of new claims is less than what was originally paid for, it is believed that no new fees are needed for these new claims.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Garlick Harrison & Markison Deposit Account No. 50-2126 (ref. BP2964).

Respectfully submitted,

Date: January 16, 2007

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